

AMENDED IN SENATE JULY 17, 2001
AMENDED IN ASSEMBLY MARCH 26, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 161

Introduced by Assembly Member Maddox
(Coauthors: Assembly Members Koretz and Strom-Martin)
(Coauthor: Senator Karnette)

January 31, 2001

An act to amend Sections 122045 and 122065 of, and to add Section 122065.5 to, the Health and Safety Code, relating to pets.

LEGISLATIVE COUNSEL'S DIGEST

AB 161, as amended, Maddox. Dog breeders.

Existing law establishes regulations with respect to dog breeders.

This bill would revise the definition of a dog breeder, for those purposes.

Existing law establishes various requirements a dog breeder is required to do with respect to housing and maintaining dogs.

This bill would revise those requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 122045 of the Health and Safety Code
2 is amended to read:

1 122045. (a) This article shall be known and may be cited as
2 the Polanco-Lockyer Pet Breeder Warranty Act.

3 (b) Every breeder of dogs shall comply with this article. As
4 used in this article, “dog breeder,” or “breeder” means a person,
5 firm, partnership, corporation, or other association that has sold,
6 transferred, or given away ~~two or more litters during the preceding~~
7 ~~calendar year~~ *all or part of three or more litters or 20 or more dogs*
8 *during the preceding 12 months* that were bred and reared on the
9 premises of the person, firm, partnership, corporation, or other
10 association.

11 (c) For the purposes of this article, “purchaser” means any
12 person who purchases a dog from a breeder.

13 (d) This article shall not apply to pet dealers regulated under
14 Article 2 (commencing with Section 122125), or to publicly
15 operated pounds, humane societies, or privately operated rescue
16 organizations.

17 SEC. 2. Section 122065 of the Health and Safety Code is
18 amended to read:

19 122065. It shall be unlawful for a breeder to fail to do any of
20 the following:

21 (a) Maintain facilities where the dogs are kept in a sanitary
22 condition.

23 (b) Provide dogs with adequate nutrition and potable water.

24 (c) Provide adequate space appropriate to the age, size, weight,
25 and breed of dog. For purposes of this subdivision, “adequate
26 space” means sufficient space for the dog to stand up, sit down,
27 and turn about freely using normal body movements, without the
28 head touching the top of the cage, and to lie in a natural position.

29 (d) Provide dogs with a rest board, floormat, or similar device
30 that can be maintained in a sanitary condition.

31 (e) Provide dogs with adequate socialization and exercise. For
32 the purpose of this article, “socialization” means physical contact
33 with other dogs and with human beings.

34 (f) Wash hands before and after handling each infectious or
35 contagious dog.

36 (g) Provide veterinary care without delay when necessary.

37 SEC. 3. Section 122065.5 is added to the Health and Safety
38 Code, to read:

1 122065.5. It shall be unlawful for a breeder to *primarily* house
2 a dog on wire flooring.

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